

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

UNITED STATES OF AMERICA )  
 )  
v. ) Criminal No. 5:21-cr-23  
 )  
RICHARD E. MOORE )

## UNITED STATES' RESPONSE TO MOORE'S MOTION TO CONTINUE MONDAY'S SENTENCING

Richard Moore’s request to continue Monday’s sentencing for 90 days should be denied. Nothing in his motion (Dkt. No. 232) or the exhibit he intends to file under seal shows that the defendant is medically prohibited from attending, or that his doctors have advised him against attending, his sentencing Monday. The only ground for continuance given in the motion is that Moore and his husband informed defense counsel that Moore “has been admitted” to a mental health treatment center. That does not constitute good cause.

To the contrary, Moore appears to be playing for delay. One, although the motion does not make it clear, Moore admitted himself voluntarily. He was not involuntarily committed, and he is therefore free to leave the facility to attend his sentencing. Two, Moore knew at least two days ago that he was going to admit himself because, as the exhibit he intends to file shows, he signed the contract with the mental health facility on Wednesday, July 16, 2025. Nonetheless, Moore did not tell his attorneys about his decision until this morning.

**From:** Mario Williams <mwilliams@hdrattorneys.com>  
**Sent:** Friday, July 18, 2025 10:36 AM  
**To:** Kelly Anglim <kelly\_anglim@vawd.uscourts.gov>  
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**Subject:** [EXTERNAL] Richard Moore

Honorable Judge Dillon.

Mr. Moore has been admitted into AMFM Mental Health Treatment Center for 45-60 days. I can send over the paperwork to the Court. Can the Court give guidance about Monday given this situation. I literally found out 30 minutes ago. My understanding is there were insurance issues and that he got admitted today.

Best,

Mario

Three, the email from Moore that defense counsel shared at 11:59 am today shows that Moore has been planning to admit himself to a treatment facility for some time now. There is, therefore, no good reason for Moore to have waited to spring this news until the Friday before a Monday hearing.

Because Moore has failed to establish good cause for a continuance, because no good cause is otherwise apparent, and because the facts suggest Moore is playing for delay, the motion should be denied. If, after sentencing, Moore wants to ask the Court for permission to report in 60 days so he can continue his treatment through then, he may. The government does not take a position on any such request now and reserves the right to oppose.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

This 18th day of July 2025.

/s/ Matthew C. Hicks

Matthew C. Hicks  
Trial Attorney